

BOARD OF SELECTMEN

September 9, 2008
Minutes

The Board of Selectmen met on Tuesday, September 9, 2008 in the Town Hall Clark Room. Those present were Selectmen Douglas A. G. Stevenson, John D. Williams, Alan Carpenito, William R. Tice, Jr. and Timothy F. Hult, and Town Administrator Madonna J. McKenzie.

The meeting was called to order at 7:00 p.m. by Chairman Stevenson.

Town Administrator Report

Mrs. McKenzie said the Board is being asked to appoint an alternate delegate to the Bruce Freeman Rail Trail Uniformity Committee. Alan Cameron was appointed the official delegate at a previous meeting. On a motion made by Mr. Williams and seconded by Mr. Tice, it was unanimously **VOTED** to appoint (Selectman) Tim Hult as the alternative representative to the BFRT Uniformity Committee.

Mrs. McKenzie informed the Board that they have received a request from Chief David Flannery to approve \$32,000. to be expended from the ambulance receipts account for anticipated expenses for the operation of the ambulance service during FY09. On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to approve the \$32,000.00 expenditure from the ambulance receipts account for anticipated expenses for the operation of the ambulance service during FY09.

Mrs. McKenzie said that (COA) Outreach Coordinator Angela Smith has requested that \$5,000.00 be approved and set aside from the Caroline Hill Fund to be spent by the Senior Tax Advisory Board for the purpose of supplementing the cost of heating fuel for residents of Carlisle who temporarily need financial help in this area. On a motion made by Mr. Tice and seconded by Mr. Hult, it was unanimously **VOTED** to approve \$5,000. to be spent by the Senior Tax Advisory Board for the purpose of emergency fuel assistance for residents of Carlisle who are in temporary need.

Mrs. McKenzie spoke briefly about a resident on East Street who is concerned with the height of utility wires hanging over his driveway. He is asking the Board to have the utility company(s) raise the wires so that when the fuel delivery truck enters his driveway it will not hit the wires (specifically during the winter). No action was taken on this matter.

Mrs. McKenzie said that Fire Chief David Flannery will attend either the September 23rd or October 14th meeting to ask approval to purchase a new ambulance for the community. The RFP is currently out and the responses are due on September 17th at 9:00 a.m.

Mrs. McKenzie reminded the Board of their joint meeting with the Concord Selectmen and Finance Committee on September 18th at 7:30 p.m. in Concord. Selectmen Carpenito, Hult and Stevenson will attend this meeting.

Mrs. McKenzie said the Board has been asked to recognize Jeffrey Pedersen who has achieved the rank of Eagle Scout in Carlisle Troop 135. On a motion made by Mr. Tice and seconded by Mr.

Williams, it was unanimously **VOTED** to congratulate Jeffrey Pedersen on his attainment of Eagle Scout and issue a proclamation recognizing his achievement.

Mrs. McKenzie reminded the Board that a MAGIC meeting will be held in the Town Hall Clark Room on Thursday, September 11th at 7:00 p.m.

Mrs. McKenzie provided the first draft of the FY10 Annual Town Meeting timeline for the Board to review. Mr. Stevenson said the Board will finalize this document at the next meeting.

Cemetery Commissioners

The Board of Selectmen, in their role as Cemetery Commissioners, made the following deed transfers.

On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to transfer to Gerald and Shirley McCully of Carlisle, Massachusetts, Deed 626 for Cemetery Lot D214, Graves 1 and 2 in the Green Cemetery.

On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to transfer to David and Rosemary Bitzer of Carlisle, Massachusetts, Deed 627 for Cemetery Lot D284, Graves 1 through 4 in the Green Cemetery.

Appointments/Resignations

On a motion made by Mr. Williams and seconded by Mr. Tice, it was unanimously **VOTED** to accept the resignation of Minerva Butler from the Long Term Capital Requirements Committee with gratitude for her services.

On a motion made by Mr. Williams and seconded by Mr. Tice, it was unanimously **VOTED** to accept the resignation of Lois d'Annunzio from the Household Recycling Committee with gratitude for her services.

On a motion made by Mr. Williams and seconded by Mr. Tice, it was unanimously **VOTED** to accept the resignation of Larry Sorli from the Historical Commission with gratitude for his services.

On a motion made by Mr. Williams and seconded by Mr. Tice, it was unanimously **VOTED** to appoint Allen Dewing, Jr. to the Historical Commission for a term that will end on June 30, 2010.

Minutes

The Minutes from the Board of Selectmen meeting of August 12, 2008 were approved as presented.

Public Hearing – Site Plan Review/Fern's Country Store (con't)

Mr. Stevenson re-opened the Public Hearing for the site plan review of Fern's Country Store. Larry Bearfield was present for this discussion. Larry said based on the Planning Board's request he put together a new site plan. The Planning Board wanted additional information on the Site Plan regarding bike racks, (an added area for Bike parking), snow storage areas(4) and clarification on the traffic flow patterns, location of the trees, clarification on the parking, that is, handicapped spaces, and water flow and water management. Larry also spoke about a concrete pad for the dumpster. He said he satisfied all of their questions and queries. He said they reached agreements on additional signage; such as *entrance only* and *one-way*. In response to Mr. Tice, Larry said all of these changes were made just for the Planning Board. Larry spoke briefly about his meeting with Police Chief John Sullivan and Fire Chief David Flannery. Both made requests which Larry has addressed.

The Board went through the letters and memos from the Board of Health, Police Chief, Fire Chief, Building Commissioner, and Conservation Commission noting their various recommendations and comments to Ferns. Larry noted that the Pathway Committee wanted the Pathway shown on the new site plan. The Planning Board has not completed their conditions document, but will have it available before the Board's next meeting. Larry said the Historical Commission asked for additional items and he will go back to them for approval. In regard to the Minutes of Zoning Board of Appeals meeting, Mr. Hult asked ZBA Chairman Ed Rolfe (who was present) if the application made by Fern's for variances from the zoning bylaws was relative to the increase of usage. Mr. Rolfe said

Board of Selectmen

September 9, 2008

Approved by Board of Selectmen -9-23-08

the ZBA's focus was Bearfield's request for expansion. He said what was advertised for that meeting was a request for a grant for a variance for expansion, a request for a variance on parking, and a variance on the minimum setback relative to the porch. In reply to Mr. Hult, Mr. Rolfe said if Fern's no longer existed, then a new business owner would have to apply for their own variances. He said a variance does not stay with the property.

Mr. Stevenson asked the Board if they wished to discuss the waivers, i.e. the application fee. There was no interest in having this discussion. Mr. Stevenson said the Board will continue the Public Hearing on September 23rd at 7:30 p.m. At that time the Conditions will be in final form.

Valentine Conservation Restriction

Attorney Robert Tuchmann representing John and Elizabeth Valentine was present to explain and answers questions relative to the Conservation Restriction presented tonight. Mr. Stevenson said the Conservation Restriction Advisory Committee has provided a recommendation for the Board to review. Attorney Tuchmann explained that the Valentines have been in the process of estate planning and a portion of that work involved the disposition of Stillmeadow Farm, located at the intersection of Acton and West Streets, which consists of approximately 150 acres. Attorney Tuchmann said the Valentines wanted to preserve the 19th century feeling of this property. He said the Valentines had to keep in mind that it was unlikely that a family member would carry on their farming tradition. They also needed to account for the inevitable estate taxes based upon the high value of this land as a potential residential subdivision. He said therefore by limiting the number of future dwellings to 17 homes, and carefully locating Conservation Restriction on portions of land that would not be used, they achieved their objectives. On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to accept the Valentine Conservation Restriction.

The Board expressed their gratitude to the Valentines for their generous gift.

Pedestrian & Bike Safety Advisory Committee

Deb Belanger, Chairman of the Pedestrian and Bike Safety Advisory Committee was present to talk about the Pathways final expenses and the work that still remains to be done. She said presently they have \$110,000.00 in available funds. She presented a list of twelve areas where work could be done and where funds could be applied. As the Board went over the list they made various comments. Mr. Carpenito said he thought the Library extension was a worthy cause. Mr. Tice added that numbers 8 and 9 (that is Westford Street: Acton St. to Curve and Rockland Rd. to Monroe Hill) should be omitted. Mr. Hult commented that it is important to do what the committee had originally had planned to do.

The Board agreed that the next jobs should be undertaken by the Pathways Committee in the following order:

1. Rustic Surface throughout system-incremental cost per contract
2. Site preparation of original scope – CPC
3. Concord Street to Church Street
4. ATM to School Street
5. Library Crosswalk to Fern's
10. Library Pathway – Church Street Library
6. Bedford Road – Kimball's to Stearns
7. Westford Street Allocation
11. Concord Street- Bingham Road to CCHS Bus Stop
12. Bedford Road – East Street intersection to Library Crosswalk

Mr. Hult said that it is important that we are in collective agreement and that we support the notion of applying the chip seal when it has the best chance of settling.

24 Bingham Road/Agreement

Attorney Roy Cramer representing Theodore Mark, owner of 24 Bingham Road was present. As discussed at a previous meeting, Mr. Mark's stonewall is on the Town's Right of Way. The Board

Board of Selectmen

September 9, 2008

Approved by Board of Selectmen -9-23-08

requested that Mr. Mark's attorney prepare a document that would resolve this matter. Tonight Attorney Cramer presented to the Board of Selectmen a duly signed and notarized Affidavit with an Order of Conditions that will be recorded at the Registry of Deeds. The purpose of the Affidavit is to give notice that Mr. Mark and all subsequent owners of 24 Bingham Road will be responsible for removing the portion of the wall, associated fill and other improvements [associated with 24 Bingham Road] and installed by the undersigned located within the Right of Way and regarding such areas so that it meets the grade of Bingham Road promptly upon the Town of Carlisle's request. On a motion made by Mr. Tice and seconded by Mr. Carpenito, it unanimously **VOTED** accept the Affidavit Under M.G.L. c.183§ 5B signed by Theodore J. Mark, dated September 9, 2008, relative to the property located at 24 Bingham Road, Carlisle, Massachusetts.

Highland Building – Next Steps

Mr. Hult started the discussion by stating that the Board needs to develop a request to the Community Preservation Committee for the Highland Building. He asked Mr. Carpenito what amount should be included in the request. Mr. Carpenito said in order to bring the building to the pre-umbrella state with fire protection it would cost \$409,000.

Mr. Stevenson said a discussion should begin with the School regarding transfer of control of the Highland Building.

It was decided that Mr. Hult would begin working with the Community Preservation Committee. Mr. Stevenson and Mr. Tice will have a discussion with the School Committee about transfer of control issues with the Highland Building.

Mr. Carpenito will work with the members of the Highland Building Study Group. Mr. Stevenson suggested asking if any of the present members would stay on as a Task Force and work at strategizing a plan for a presentation for Town Meeting. This matter will be discussed at the October 14th meeting

Goals and Objectives

Mr. Stevenson said the Board would finalize the Goals and Objectives and the Liaison List.

The Board reviewed the Liaison list and there was a brief discussion and clarification on a few items.

On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to approve the Liaison List dated September 18, 2008.

The Board reviewed the summary of the FY 08 Goals and added /modified to same.

Stable and Sustainable Financial Management – Mr. Williams added: 1.) continue work of LTCRC with particular emphasis on operating budgets and affordability review of major projects; 2.) work with the FinCom to establish a multi-year (3 year) plan and educate the public as much as possible; 3.) work to reduce upward slope of operating budgets on a multi year basis; 4.) coordinate with BOS, FinCom, and Personnel Board; 5.) strategy for CPA fund usage; 6.) play role in upcoming multi year teacher contract negotiations; 7.) pursue energy conservation pursuant to findings of Carlisle Energy Task Force; 8.) keep eyes on our reserve fund, knowing it affects bond rating and lender acceptability; and 9.) participate in CPS Project.

Excellent Education for our children The Board decided to omit #1 from the FY08 Goals.

Effective and Efficient Town Services Mr. Hult said he wanted to make sure 'appreciation day' occurred. He also wanted to implement a feedback mechanism from employees. Mr. Tice said he wanted to continue to implement a technology plan with emphasis on web site improvement. He also wanted to encourage broadcasting of additional Board/Committee meetings.

Stable and Responsive Public Utilities The Board added 'exploring extended uses of the treatment plant'.

Recreation and Community Activities Mr. Hult added to the FY08 list 'facilitate the next steps of the Highland Building plan and support the Library in ascertaining the scope of the façade renovations'.

Affordable Housing The Board added to the FY08's list the following: 1.) continue to support the Benfield RFP and selection process; 2.) work with the state officials to support affordable housing

funding; 3.) work to support final approval of the accessory apartment program; and 4.) work with Housing Authority to obtain DMR housing in Carlisle.

Conservation Land and Open Space The Board decided to use the FY08 Goals.

Safety and Security of our Citizens Mr. Hult added to the FY08 list 'the completion of the installation of the emergency generator at the school'.

Mr. Stevenson said the eight pages of Goals would be finalized and converted into a Summary of Goals. This will also include the Liaisons. The Board will review the final Goals document at the next meeting.

Formation of the Town Common Circulation Task Force

On a motion made by Mr. Tice and seconded by Mr. Carpenito, it was unanimously **VOTED** to appoint Jack O'Connor from the Town Common Center District, Police Chief John Sullivan from the Traffic Safety Advisory Committee, Sylvia Sillers from the Historical Commission and Selectman, Alan Carpenito to the Town Common Circulation Committee.

Liaison Reports

Mr. Tice said the Accessory Alternative Clean Energy Generation Committee has not met during the summer. Mr. Tice spoke briefly about CCTV. He said they have had two goal setting meetings.

Mr. Carpenito spoke about the shed that is behind the Police Station. He said that Police Chief John Sullivan would like to use the shed for storage of old tires, etc. Mrs. McKenzie said that Chief Sullivan will need to wait awhile before he uses the shed because the DEP has indicated that they would like to do more testing on this site.

Mr. Williams reported that he, Elizabeth Barnett, Alan Lehotsky and Mrs. McKenzie met with Cory Atkins at the DHCD regarding the Benfield project. There will be a follow-up meeting on September 23rd. He said fifteen RFP's have been sent out on the Benfield Proposal. Mr. Williams said he met with FinCom Chair David Model and he spoke about some of David's concerns about the future budget.

Mr. Williams also spoke about the Carlisle Housing Board's meeting last night. He said they talked about Village Court. No vote has been taken on the expansion. He said they are very interested in a resolution on the wastewater treatment.

Mr. Stevenson reported on the Financial Management Team that was held this morning. He said the Accounting department is closing out fiscal 08. The final report for local receipts showed a shortfall of approximately \$21,000. Also present at the FinTeam meeting was Jerry Lerman from the FinCom who talked about a 'zero percent increase', which was similar to last year. Mr. Stevenson said the report from the Assessors was that new growth will be \$8million.

There was a brief discussion about the School Building Committee. In their model of \$21million, about \$4 million includes capital expenditures on the existing facility.

The meeting adjourned at 10:05 p.m.

Respectfully submitted by Margaret M. deMare